



Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Demetrio Sanchez-Martinez and)
Phillip E. Pellett)
Serial No.: 08/480,850) Art Unit: 1623
Filed: June 7, 1995) Examiner: Leary, L
For: NOVEL BACULOVIRUS EXPRESSION)
VECTORS AND RECOMBINANT)
ANTIGENS FOR DETECTING TYPE)
SPECIFIC ANTIBODIES TO HERPES)
SIMPLEX VIRUS)

DECLARATION OF DEMETRIO SANCHEZ-MARTINEZ UNDER 37 CFR § 1.132

I, DEMETRIO SANCHEZ-MARTINEZ, declare as follows:

1. I am a co-inventor in the above-identified patent application.
2. In July of 1989, I attended the American Society for Virology Annual Meeting in London, Ontario, Canada. On July 10, 1989, I gave a presentation on the research conducted by me and my colleague and co-inventor, Phillip E. Pellett. Prior to giving the presentation, I completed an abstract form and sent it to Dr. R. Luftig, the Program Chairman for the American Society for Virology. The abstract was not intended for publication, as it was clearly stated in the Abstract form.

The brief ten-minute presentation given by me at the meeting on July 10, 1989 described the results of our preliminary experiments with the production of gG-1 and gG-2 by inserting the gG-1 and gG-2 genes in place of the polyhedrin gene in a baculovirus transfer vector. The brief presentation simply described our initial preliminary results, showing only a very abridged schematic layout of our methodology. A detailed description or explanation of our methods was **not** presented.



Our experiments were subsequently extended and published in the scientific article entitled "Expression of HSV-1 and HSV-2 Glycoprotein G in Insect Cells by Using a Novel Baculovirus Expression Vector", authored by Dr. Pellett and myself in *Virology* 182: 229-238 (1991).

3. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

January 20, 2000

DATE

Demetrio Sanchez-Martinez
DEMETRIO SANCHEZ-MARTINEZ

J&A Docket No. 03063-0111
CDC Docket No. I-021-91/3